IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO : 19140 of 2005

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Dated: 12th September 2005.

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Between:

Naladi Rajyalakshmi

..... PETITIONER

AND

The Station House Officer, Ponnur Police Station, Guntur District and another

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

W.P.NO.19140 OF 2005

ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

This writ petition is taken up on the basis of a telegram dated 25th August 2005, allegedly issued by one Naladi Rajyalakshmi w/o late Raju, Mangalagiri Town, Guntur District, complaining that her son Mr. Vijaykiran, who is a mechanic working with an Auto Showroom at Mangalagiri, was picked up by the Sub-Inspector of Police, Ponnuru Town Police Station on 10th August 2005 midnight. It is further alleged in the telegram that the abovementioned Vijaykiran was detained in custody and beaten up in the police station.

The learned Advocate General took notice in the matter on 30th August 2005 and filed counter affidavit on behalf of the respondents sworn to by the Sub-Inspector of Police, Ponnur Town Police Station. From the counter, it is seen that a complaint was received on 21st July 2005 from one Geddam Nagaraju about the theft of his motorcycle bearing registration number A.P. 16 AB 6829. On the said complaint a case in Crime No.99 of 2005 under Section 379 of the Indian Penal Code was registered. During the course of investigation of the said case one Kesanam Rajasekhar alias Gandhi was arrested and the abovementioned motorcycle was seized from his possession and in the further course of investigation the police gathered information that the abovementioned

Rajasekhar along with another person called Naladi Anantha Babu committed similar thefts at various placed like Eluru, Bheemavaram etc. However, the abovementioned Anantha Babu, it appears, is absconding and the alleged detenu Vijaykiran, is no other than the brother of the abovementioned Anantha Babu. In the counter it is asserted that the alleged detenu Vijaykiran was never arrested by the respondents, much less, beaten him up in the lockup.

In view of the counter affidavit, when the matter came up for hearing on 8th September 2005, we thought it fit to direct the respondents to produce the abovementioned alleged detenu Vijaykiran, before this Court.

Accordingly, today, the alleged detenu is produced, by the respondents, before this Court. The alleged detenu denied of having ever been arrested by the respondents or ill treatment at their hands.

In the circumstances, we do not see any reason to proceed further in the writ petition and the same is accordingly closed at the threshold.

J.Chelameswar, J

M.Venkateswara Reddy, J

12th September 2005

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